

Application No.: 10/500,145
Reply to Office Action of: October 25, 2007

BASIS FOR THE AMENDMENT

The Claims have been amended as supported by the Claims and specification as originally filed.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 17-29 will now be active in this application.

REMARKS

Applicants wish to thank Examiner Nwaonicha and supervisory Examiner Parsa for the helpful and courteous discussion with Applicants' Representative on November 19, 2007. As discussed, the claims have been rewritten to better conform to accepted US claim format.

Regarding Claim 25, it was pointed out that N and R are properly defined. The Examiner agreed.

In view of the argument that a liquid salt is separated, the Examiners appeared to be willing to withdraw at least the anticipation rejection.

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 1** relates to a method for the synthesis of a phosphorus compound, comprising:

forming an acid during said synthesis;

reacting said acid and an auxiliary base to form a salt of the auxiliary base; **said salt being liquid** at temperatures at which the phosphorus compound is not significantly decomposed **during the process of separating off the liquid salt**;

forming two immiscible liquid phases, a first phase comprising said salt of the auxiliary base and a second phase comprising said phosphorus compound or a solution of said phosphorus compound in a solvent; and

separating said first phase from said second phase;

wherein said phosphorus compound is selected from the group consisting of aminodihalophosphines, diaminothalophosphines, triaminophosphines, phosphorous ester diamides, aminophosphines, diaminophosphines, phosphorous ester amide halides, aminophosphine halides and phosphorous ester halides.

Breikes et al (US 5,710,344) fails to disclose or suggest a method for the synthesis of a phosphorus compound as claimed in which the salt is liquid at temperatures at which the phosphorus compound is not significantly decomposed during the process of separating off the liquid salt.

In Breikes et al, a triethylamine hydrochloride is filtered off. This is a solid and not a liquid. See col. 5, lines 56 and 57.

There is no disclosure or suggestion in Breikes et al to have a liquid salt during the separation step, said salt forming its own phase and the product or its solution forming another phase.

In the present invention however, the two salts can be easily separated and the complicated process of separating a solid salt from a liquid can be avoided. See also the paragraph bridging pages 1 and 2 of the specification.

Therefore, the rejection of the claims over Breikes et al (US 5,710,344) is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

The rejections of Claims 17-26 under 35 U.S.C. § 112 and 101, are obviated by the amendment of the claims.

The rejection of Claim 25 under 35 U.S.C. § 112 should be withdrawn because Claim 25 does define N and R in the last three lines:

“wherein R, R', R'' and R''' can be any organic radicals which may be identical or different, [N], [N'], [N"], [N””], [N”””] and [N””””] are unsubstituted, monosubstituted or disubstituted amino groups which may be identical or different and Z can be any divalent bridge.”

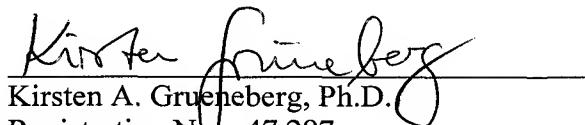
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Finally, with respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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